



We Are Columbia

COLUMBIA CITY COUNCIL MEETING AGENDA THURSDAY, AUGUST 27, 2020

The Columbia City Council will conduct an Emergency Meeting on Thursday, August 27, 2020 at 10:00 a.m. using Video Conferencing Technology. The Virtual Meeting will be streamed online at www.columbiasc.gov. You may listen to the meeting audio via telephone by dialing **855-925-2801**. When prompted, enter the meeting code: **8655**. For additional meeting information visit www.columbiacitysc.igm2.com. You may also register at this site to post comments related to items on the agenda. For questions regarding the meeting portal, please contact the City Clerk at (803)545-3045 or cityclerk@columbiasc.gov.

The Honorable Mayor Stephen K. Benjamin

The Honorable Sam Davis, District I ■ The Honorable Tameika Isaac Devine, At-Large

The Honorable Howard E. Duvall, Jr., At-Large ■ The Honorable Edward H. McDowell, Jr., District II

The Honorable Daniel J. Rickenmann, District IV ■ The Honorable William Brennan, District III

CALL TO ORDER

INVOCATION

ADOPTION OF THE AGENDA

ORDINANCE - SECOND READING

1. Ordinance 2020-077 Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Buildings and Building Regulations, Article VIII, Rental Housing Regulations, Sec. 5-330 Violations and assignment of violations (d)(1)(d)

First reading approval was given on August 18, 2020.

ADJOURNMENT



We Are Columbia

MEETING DATE: August 27, 2020

DEPARTMENT: Legal Department

FROM: *Shari Ardis, Legal Office Manager*

SUBJECT: Ordinance 2020-077 Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Buildings and Building Regulations, Article VIII, Rental Housing Regulations, Sec. 5-330 Violations and assignment of violations (d)(1)(d)

**FUNDING SOURCE &
ORIGINAL BUDGET:**

PURPOSE:

First reading approval was given on August 18, 2020.

ATTACHMENTS:

- 2020-077 amend Sec 5-330(d)(1)(d) (PDF)

HISTORY:

08/18/20

Columbia City Council

APPROVED ON FIRST READING.

ORDINANCE NO.: 2020-077

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Buildings and Building Regulations, Article VIII, Rental Housing Regulations, Sec. 5-330 Violations and assignment of violations (d)(1)(d)

BE IT ORDAINED by the Mayor and Council this ____ day of _____, 2020, that the 1979 Code of Ordinances of The City of Columbia, South Carolina, Chapter 5, Buildings and Building Regulations, Article VIII, Rental Housing Regulations, Sec. 5-330 Violations and assignment of violations (d)(1)(d) is amended to read as follows:

Sec. 5-330. Violations and assignment of violations.

(a) For purposes of this section, violations shall include citations for any federal, state, or local ordinance.

(b) Violations; warnings; points. Rental units where there are citations, warnings of violation and/or adjudication of guilt, finding of guilt with adjudication withheld, waiver of right to contest the violation, or pleas of no contest (including, but not limited to, payment of fine) of the following city ordinances:

- (1) Nuisance ordinances (Chapter 8);
- (2) Animal control ordinances (Chapter 4);
- (3) Solid waste ordinances (Chapter 19)
- (4) Zoning ordinances (Chapter 17);
- (5) International Property Maintenance Code (section 5-151);
- (6) Law enforcement (Chapter 10); or
- (7) Licenses, permits and miscellaneous business regulations (Chapter 11).

(c) Violations shall apply as points towards revocation of the rental permit for residential rental units as follows:

(1) Single-household dwellings and townhouses. Violations that occur anywhere on the premises shall apply to the permitted dwelling unit.

(2) Multi-unit structures.

- a. Violations that occur within an individual unit shall apply to that unit.
- b. Violations occurring outside of the units shall be assigned to the unit responsible as determined by the investigating party for the offense.
- c. Violations committed by the property owner and/or responsible local representative shall be assigned to all units.

(d) In the event a citation or violation takes place at a unit regulated by this article, such citation shall be grounds for the accumulation of points as follows:

(1) For one or more written warnings given in any 24-hour period for violation of one or more of the ordinances listed above, points will be assessed on the landlord permit for that unit in accordance with this section:

- a. First offense. One point will be assessed for the first occurrence of citation, violation or offense.
- b. Second offense. Two points will be assessed for a second occurrence of the same citation, violation or offense within the same permit year.
- c. Third offense or each offense thereafter. Five points will be assessed for a third occurrence and each occurrence thereafter of the same citation, violation or offense within the same permit year.
- d. Serious offense. Ten points will be assessed for any serious violation or offense that could result in serious bodily injury or death to occupants as determined by the chief of police. **A serious offense includes failure to comply with any Emergency Order issued by the City of Columbia, any Executive Order issued by the Governor of the State of South Carolina, or any local, state or federal law, regulation or mandate to address a health or safety concern including but not limited to a public health outbreak (including a pandemic or wide-spread and /or infectious disease outbreak), natural disasters, war, terrorist act, strike, fire, release of nuclear material or dangerous substance into the environment or other catastrophic event.**

(2) After points are assessed on a landlord permit for a unit, the police chief or designee will send a written warning to the owner or agent. Each warning will specify which ordinance or ordinances have been violated and will state that further warnings or violations could lead to a revocation of the permit. Each warning will be sent by regular mail to the address of the owner or agent, as identified on the permit application, as well as a copy of the warning mailed to the property address of the subject property.

(3) A fee of \$100.00 will be assessed per point for each point accumulated beyond five points due upon any renewal of the permit.

(4) If a person is found not guilty, or the case against them for a violation is dismissed, then the point shall be removed from the permit as if it had not been assessed.

This ordinance is effective as of final reading.

Requested by:

Mayor and City Council

Mayor

Approved by:

City Manager

Approved as to form:

ATTEST:

T. A. Knox

City Attorney

City Clerk

Introduced:

Final Reading:

Attachment: 2020-077 amend Sec 5-330(d)(1)(d) (6161 : Ordinance 2020-077 Rental Housing Regulations.)